

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMIRR HASSAN TERRY-BEY,

Plaintiff,

vs.

Case No. 04-CV-73193
HON. GEORGE CARAM STEEH

K. CAIN, et al.,

Defendant.

ORDER ACCEPTING OCTOBER 14, 2005 REPORT AND RECOMMENDATION
AND DISMISSING PLAINTIFF'S CLAIMS

Plaintiff, a one-time prisoner of the Monroe County Jail, appearing pro se, filed an August 25, 2004 complaint alleging inadequate law library facilities, denial of use of available facilities, and placement in an unsanitary cell. The matter was referred to Magistrate Judge Mona Majzoub. Defendants filed an April 28, 2005 motion to dismiss for failure to prosecute and for failure to exhaust administrative remedies. Plaintiff's last contact with the court was in his filing of the complaint and August 25, 2004 motion for appointment of counsel. Plaintiff's failure to provide the court with an updated address has resulted in orders of the court being returned as undeliverable, including the October 14, 2005 Report and Recommendation recommending dismissal for failure to prosecute and for failure to exhaust administrative remedies, as argued by the defendants. De novo review of the record supports dismissal of this lawsuit without prejudice as set forth in the October 14, 2005 Report and Recommendation. Accordingly,

IT IS ORDERED that Magistrate Judge Majzoub's October 14, 2005 Report and

Recommendation is hereby ACCEPTED as the findings and conclusions of this court. Defendants' motion for dismissal is hereby GRANTED. Plaintiff's claims are hereby DISMISSED without prejudice in their entirety.

SO ORDERED.

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: November 3, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on November 3, 2005, by electronic and/or ordinary mail.

s/Josephine Chaffee
Secretary/Deputy Clerk